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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,016	11/20/2003	Lawrence W. Yonge III	04838-076001	2786
26161	7590	06/05/2006	EXAMINER	
FISH & RICHARDSON PC P.O. BOX 1022 MINNEAPOLIS, MN 55440-1022			RIZK, SAMIR WADIE	
			ART UNIT	PAPER NUMBER
			2133	

DATE MAILED: 06/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/720,016

Applicant(s)

YONGE ET AL.

Examiner

Sam Rizk

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner *for the Abstract contains legal phraseology.*
- 10) ☒ The drawing(s) filed on 11/20/2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/25/2005, 10/21/20.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTIONS

- Claims 1-18 have been submitted for examination
- Claims 1-18 have been rejected

Drawings

1. Figure 1 should be designated by a legend such as --Background Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to because **several reference signs in figures 1-5 fails to show detailed description as described in the specification.**

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining

removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Lim et al. US publication no. 2006/0041734 (Hereinafter Lim).
4. In regard to claim 1, Lim teaches:
 - A method of operating in a network in which a plurality of stations communicate over a shared medium, comprising;

Art Unit: 2133

- transmitting a group of bits from a transmitting station to a receiving station, wherein the group of bits comprises information bits and error checking bits;

(Note: Figure 1 in Lim)

- Communicating additional bits from the transmitting station to the receiving station without transmitting the additional bits, the communicating of the additional bits comprises;
- at the transmitting station, deriving the error checking bits from the additional bits using an error checking process; and

(Note: Figure 2 and Sections [0028]-[0033] in Lim)

- at the receiving station, using the same or a related error checking process to process candidate bits known to the receiving station, and comparing the output of the error checking process to the error checking bits received from the transmitting station to determine if the candidate bits correspond to the additional bits.

(Note: Figure 3 and Sections [0034]-[0039] in Lim)

5. In regard to claim 2, Lim teaches:

- The method of claim 1 wherein the communicating of the additional bits further comprises;
- at the transmitting station, deriving the error checking bits from the additional bits and the information bits using the error checking process; and

(Note: Figure 1, (H1,H2,H3) in Lim)

- at the receiving station, using the same or a related error checking process to process the candidate bits and the information bits received from the transmitting station,

(Note: Figure 3, steps 12 in Lim)

- comparing the output of the error checking process result to the error checking bits received from the first station to determine if the candidate bits correspond to the additional bits.

(Note: Figure 3, steps 13 in Lim)

6. In regard to claim 3, Lim teaches;

- The method of claim 1 wherein the additional bits comprise an address identifying one or both of the transmitting and receiving stations.

(Note: Figure 1 (A1-H1), (A2-H2) (A3-H3) in Lim)

7. In regard to claim 4, Lim teaches:

- The method of claim 1 wherein the additional bits comprise an address identifying one or both of the transmitting and receiving stations.

(Note: Section [0002] in Lim)

8. In regard to claim 5, Lim teaches;

- The method of claim 3 wherein the group of bits constitutes a packet, the information bits comprise a source address and data, and the additional bits comprise at least a portion of a destination address at least partially identifying the receiving station.

(Note: Figure 1 in Lim)

9. In regard to claim 6, Lim teaches:

- The method of claim 3 wherein the group of bits constitutes a Request To Send (RTS), the information bits comprise a source address and data, with the source address identifying the transmitting station, and the additional bits comprise a destination address identifying the receiving station.

(Note: section [0002], line 2 in Lim teaches an Ethernet LAN MAC packet the inherently includes the (RTS) bits)

10. In regard to claim 7, Lim teaches:

- The method of claim 3 wherein the group of bits constitutes a RTS, the information bits comprise a source address and data, with the source address identifying the transmitting station, and the additional bits comprise at least a portion of a destination address at least partially identifying the receiving station.

(Note: Figure 1, any of H1, H2 or H3 in Lim)

11. In regard to claim 8, Lim teaches:

- The method of claim 3 wherein the group of bits constitutes a Clear To Send (CTS) transmitted in response to an RTS, and the additional bits comprise one or both of the following: (1) a destination address identifying the receiving station and (2) a source address identifying the transmitting station.

- (Note: section [0002], line 2 in Lim teaches an Ethernet LAN MAC packet the inherently includes: (1) a destination address identifying the receiving station and (2) a source address identifying the transmitting station)

12. Claim 9 is rejected for the same reasons as per claim 8.

13. In regard to claim 10, Lim teaches:

- The method of claim 3 wherein the group of bits constitutes an acknowledgement and the additional bits comprise one or both of the following: (1) at least a portion of a source address at least partially identifying the transmitting station and (2) at least a portion of a destination address at least partially identifying the receiving station.

(Note; Figure 1, in Lim)

14. In regard to claim 11, Lim teaches:

- The method of claim 3 wherein the group of bits constitutes an acknowledgement transmitted in response to a receipt of a packet, and the additional bits comprise a set of bits from the packet that is sufficiently unique as to associate the acknowledgement with the packet.

(Note; Figure 1 (W1,1 W1,2, W1,3, W2,1,W2,2,W2,3,W3,1,W3,2,W3,3 in Lim)

15. In regard to claim 12, Lim teaches:

- The method of claim 6 wherein the information bits comprise bits indicating which portions of a previously transmitted packet need to be retransmitted.

(Note: Figure 2, step (4) in Lim)

16. In regard to claim 13, Lim teaches:

- The method of claim 1 wherein the error checking process comprises a cyclic redundancy check, and the error checking bits comprise frame check sequence (FCS) bits associated with the cyclic redundancy check.
- (Note: section [0002], line 2 in Lim teaches an Ethernet LAN MAC packet the inherently includes: (FCS) bits)

17. In regard to claim 14, Lim teaches;

- A method of operating in a network in which a plurality of stations communicate over a shared medium, comprising:

(Note: abstract in Lim)

- transmitting a group of bits from a transmitting station to a receiving station, wherein the group of bits comprises information bits and a substantially unique number;

(Note; Figure 1 (W1,1 W1,2, W1,3, W2,1,W2,2,W2,3,W3,1,W3,2,W3,3 in Lim)

- acknowledging receipt of the group of bits at the receiving station by transmitting an acknowledgement containing the substantially unique

Art Unit: 2133

number or containing data from which the substantially unique number can be derived.

(Note: Figure 3, in Lim)

18. Claim 15 is rejected for the same reasons as per claim 4.

19. In regard to claim 16, Lim teaches:

- The method of claim 15 wherein the transmitting station receives the acknowledgement and determines whether it contains the same destination address and the same substantially unique number as included in the transmitted group of bits.

(Note: Figure 3 in Lim)

20. Claim 17 is rejected for the same reasons as per claim 8.

21. In regard to claim 18, Lim teaches:

- The method of claim 14 or 17 wherein the substantially unique number comprises a pseudorandom number.

(Note: Abstract, line 8 in Lim)

Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Dawson US patent no. 6782503 teaches generating a signature to add to a test packet to achieve a target check value.

Art Unit: 2133

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Rizk whose telephone number is (571) 272-8191. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronics Business Center (EBC) at 866-217-9197 (toll-free)

Sam Rizk, MSEE, ABD

Examiner

ART UNIT 2133

Sam Rizk
5/26/06


GUY LAMARRE
PRIMARY EXAMINER